

Joseph Massino

1 UNITED STATES DISTRICT COURT
2 EASTERN DISTRICT OF NEW YORK

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3 UNITED STATES OF AMERICA,

4 versus

5 05 CR 60 (NGG)

6 VINCENT BASCIANO,

7 DEFENDANT.

8 U.S. Courthouse
9 Brooklyn, New York

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11 April 12, 2011
12 9:30 a. m.

13 TRANSCRIPT OF TRIAL

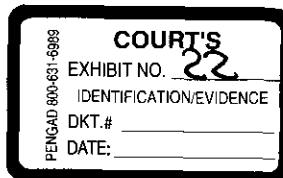
14 Before the HONORABLE NICHOLAS GARAUFIS, USDJ

15 APPEARANCES

16 Representing the Government: Loretta E. Lynch
17 United States Attorney
18 Eastern District of New York
19 271 Cadman Plaza East
20 Brooklyn, New York 11201
21 BY: TARYN MERKL, ESQ.
22 JACK DENNEHY, ESQ.
23 NICOLE ARGENTIERI, ESQ.
24 STEPHEN FRANK, ESQ.

25 Representing the Defendant: GEORGE GOLTZER, ESQ.
26 RICHARD JASPER, ESQ.
27 YING STAFFORD, ESQ.
28 BETH BOCHNAK, ESQ.

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34 Proceedings recorded by mechanical stenography. Transcript
35 produced by computer-aided transcription.



MASSINO/DIRECT/MERKL

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15 Q Did you ever have a discussion with a member of the
16 Bonanno organized crime family about what happened to Randolph
17 Pizzola?

18 A Yes, I have.

19 Q Who did you speak with?

20 A Vinny Basciano.

21 Q What did Vincent Basciano tell you that happened to Randy
22 Pizzola?

23 A He told me that he killed him.

24 MR. JASPER: Excuse me, Your Honor, can we have a
25 time?

MASSINO/DIRECT/MERKL

1 THE COURT: You can ask on cross.

2 MS. MERKL: That's my next question, Your Honor.

3 THE COURT: Go ahead.

4 Q In what year did you have that conversation with
5 Mr. Basciano?

6 A The later part of November 2004.

7 Q Where were you when you first spoke with Vincent Basciano
8 about the murder?

9 A I called a co-defendant meeting in MDC Brooklyn.

10 Q Could you briefly explain what a codefendant meeting is?

11 A We would have a codefendant meeting every Friday, all the
12 defendants, all the lawyers and the investigators and Vinny
13 Basciano was there.

14 Q Just to help the jurors understand what codefendants are,
15 those were people who were indicted together on one case?

16 A People that are indicted and they're preparing to go to
17 trial, whatever strategy.

18 Q So you would meet with your codefendants and your
19 lawyers?

20 A Every Friday.

21 Q You mentioned that was at the MDC. What is the MDC?

22 A Metropolitan Detention Center, it's a holding to prepare
23 to go to trial.

24 Q Is that a jail?

25 A It's a jail.

MASSINO/DIRECT/MERKL

1 Q Where is it located?

2 A Brooklyn.

3 Q The time of your conversation with Vincent Basciano at
4 that codefendant meeting, what position, if any, did
5 Mr. Basciano hold in the Bonanno organized crime family?

6 A Acting boss.

7 Q What is an acting boss in organized crime?

8 A You're calling all the shots, you're making captains,
9 you're breaking captains. You basically do whatever you want
10 to do.

11 Q Did the defendant Basciano ultimately tell you why he
12 killed Randy Pizzola?

13 A Yes, he did.

14 Q Why?

15 A He said he was a scumbag, he was a rat, trouble maker,
16 bad kid. Chased him to go to Florida, the kid refused to go
17 to Florida.

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MASSINO/DIRECT/MERKL

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6 Q When did you next see Basciano after that?

7 A I seen him the following week at a co-defendant meeting.

8 Q Just to be clear, at the time of that co-defendant
9 meeting, were you still in prison?

10 A I was in the ~~same~~ SHU. I was in the hole at that point.

11 Q What's the hole?

12 A Solitary confinement.

13 Q So you were in the solitary confinement area of the
14 Metropolitan Detention Center?

15 A Yes, it's called 9 South.

16 Q And that was still at the MDC?

17 A MDC Brooklyn.

18 Q Who was at your co-defendant meeting?

19 A It was me, Pattie DeFilippo, Johnny Joe, Vinny Basciano,
20 all the lawyers, all the investigators, and Anthony Donato was
21 supposed to show up, but he went to court that day.

22 Q Do you recall approximately when that co-defendant
23 meeting occurred in relation to Thanksgiving of 2004?

24 A I think it might have been the day after Thanksgiving.

25 It was a Friday.

MASSINO/DIRECT/MERKL

1 Q Was a murder discussed at that co-defendant meeting?

2 A Yes, it was.

3 Q How did that come up?

4 A Johnny Joe says, chief, did you see the newspaper? They
5 killed Randy Pizzola.

6 I said, sometimes I see the paper and sometimes I
7 don't. I'm in the shoe.

8 With that, Vinny Basciano says, Johnny Joe, excuse
9 yourself. I want to talk to the chief.

10 He sat down by me. He says, I killed him.

11 I said, what do you mean you killed him? He was a
12 bad kid, wouldn't listen, junkie.

13 I said, who did you do it with?

14 So it was hemming and hawing. He didn't want to
15 tell me.

16 Who did you do it with? Ace, Dominick, and I think
17 the kid Joey Gambina was there, but he didn't handle himself
18 right, because he didn't think highly of him and he didn't
19 want to strike him anymore and he let him down, so we let it
20 go at that.

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